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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,513	12/05/2003	Nobuaki Ogawa	P24662	7838
7055 7590 01/23/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER	
			HAMO, PATRICK	
			ART UNIT	PAPER NUMBER
		3746		
SHORTENED STATUTORY I	PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVER	Y MODE
3 MONT	THS	01/23/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/23/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com pto@gbpatent.com

		Application No.	Applicant(s)				
Office Action Summary		10/727,513	OGAWA ET AL.				
		Examiner	Art Unit				
		Patrick Hamo	3746				
	The MAILING DATE of this communication app						
Period fo							
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DAY SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE!	. lely filed the mailing date of this communication. (35 U.S.C. § 133).				
Status							
1)⊠	Responsive to communication(s) filed on 05 De	ecember 2003.					
2a) <u></u> □	This action is FINAL . 2b)⊠ This action is non-final.						
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposit	ion of Claims						
4) 又	Claim(s) 1-12 is/are pending in the application.		·				
•	4a) Of the above claim(s) is/are withdrawn from consideration.						
5)□	Claim(s) is/are allowed.						
6)🖂	Claim(s) 1-12 is/are rejected.						
7)	Claim(s) is/are objected to						
8)[Claim(s) are subject to restriction and/or	election requirement.					
Applicat	ion Papers						
91□	The specification is objected to by the Examine	r.					
10)⊠ The drawing(s) filed on <u>05 December 2003</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority (under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a)⊠ All b)□ Some * c)□ None of:							
1.⊠ Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
	•						
Attachmer	nt(s)						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)							
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application							
Paper No(s)/Mail Date <u>05 March 2004</u> . 6) Other:							

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3 and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurihara et al., Pub. No. 2003/0086800.

Kurihara discloses a compressor with a compression portion 20 and a motor 30 in housing divided into an inverter attachment side 11 and another side13 with an inverter (p. 2, ¶ 31) in an inverter case formed as the space between connection plate 50 and lid 15 attached to end wall 11d of inverter attachment side by bolts 14 and 16 on the side of suction port 56, there being an intake passage between connection plate 50 and partition wall 11b and an air layer between connection plate 50 and motor 30 (fig. 1), heat being transferred from the inverter to the flow through partition wall 11b which thereby acts as a thermal binding portion, and connection pin 41 of a connection terminal is directly connected to circuit board 40 and has a seal portion 42 inside housing 11. It is not explicitly shown but inherent that the partition wall 11b is adjacent to as much area of the inverter in order to best transfer heat from the inverter to the flow (p.3, ¶ 39).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurihara.

Kurihara discloses all the limitations substantially as claimed and as described above except for the following: an inverter case externally attached to an end wall of the housing on a discharge side of the compression mechanism.

However, because shifting the position of the inverter case from the suction side to the discharge side would not modify the operation of the compressor system, this limitation is found to be a mere rearrangement of parts and is therefore unpatentable. See MPEP §2144.04(6)(c).

Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurihara in view of Makino et al., 6,808,372.

Kurihara discloses all the limitations substantially as claimed except for the following taught by Makino: mounting legs 34 provided in the housing for mounting the compressor in order to reduce the axial dimensions of a compressor/motor combination (col. 1, II. 50-58).

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Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to have modified Kurihara with Makino to reduce the axial dimensions of the compressor/motor assembly (col. 1, II. 50-58)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Hamo whose telephone number is 571-272-3492. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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EHUD GARTENBERG SUPERVISORY PATENT EXAMINER

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